NOTIFICATION.

(LAW DEPARTMENT.)

No. LAW 83 LDA 65, Bangalore, dated 2nd November 1965.

Ordered that the Insurance (Amendment) Act, 1965 (Central Act 32 of 1965) which has been published in the *Gazette of India*, Extraordinary, Part II, Section 1, dated the 30th September 1965 be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

B. RAMACHANDRA RAO,
Under Secy. to Govt., L. D.

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MINISTRY OF LAW

(Legislative Department)

New Delhi, the 30th September, 1965/*Asvina* 8, 1887 (*Saka*)

The following Acts of Parliament received the assent of the President on the 29th September, 1965, and are hereby published for general information:—

THE INSURANCE (AMENDMENT) ACT, 1965
No. 32 OF 1965

[*29th September*, 1965]

An Act further to amend the Insurance Act, 1938.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1 *Short title*.—This Act may be called the Insurance (Amendment) Act, 1965.

2. *Amendment of section* 3.—In section 3 of the Insurance Act, 1938 (4 of 1938) (hereinafter referred to as the principal Act),—

(*i*) after sub-section (2), the following sub-sections shall be inserted, namely:—

"(2A) If, on receipt of an application for registration and after making such inquiry as he deems fit, the Controller is satisfied that—

(*a*) the financial condition and the general character of management of the applicant are sound;

(b) the volume of business likely to be available to, and the capital structure and earning prospects of the applicant will be adequate;

(c) the interests of the general public will be served if the certificate of registration is granted to the applicant in respect of the class or classes of insurance business specified in the application; and

(*d*) the applicant has complied with the provisions of section 2C, 5, 31A and 32 and has fulfilled all the requirements of this section applicable to him,

the Controller may register the applicant as an insurer and grant him a certificate of registration.

(2B) Where the Controller refuses registration, he shall record the reasons for such decision and shall furnish a copy thereof to the applicant.

(2C) Any person aggrieved by the decision of the Controller refusing registration may, within thirty days from the date on which a copy of the decision is received by him, appeal to the Central Government.

(2D) The decision of the Central Government on such appeal shall be final and shall not be questioned before any court.";

(*ii*) in sub section (3), for the words "In the case of any insurer having his principal place of business or domicile outside India", the following shall be substituted, namely:—

"Notwithstanding anything contained in sub-section (2A), in the case of any insurer having his principal place of business or domicile outside India";

(*iii*) sub-section (6) shall be omitted.

3. *Amendment of section* 110.—In section 110 of the principal Act, in clause (*a*) of sub-section (1), the words "refusing to register, or" shall be omitted.

THE LIFE INSURANCE CORPORATION (AMENDMENT) ACT, 1965

No. 33 OF 1965

[29*th September*, 1965]

An Act further to amend the Life Insurance Corporation Act, 1956.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1. *Short title*.—This Act may be called the Life Insurance Corporation (Amendment) Act, 1965.

2. *Amendment of section* 26.—In the Life Insurance Corporation Act, 1956 (31 of 1956.) (hereinafter referred to as the principal Act), in section 26, for the words "business of the Corporation, including a valuation of the liabilities of the Corporation" the words "life insurance business of the Corporation, including a valuation of the liabilities of the Corporation in respect thereto" shall be substituted.

3. *Substitution of new section for section* 28.—For section 28 of the principal Act, the following section shall be substituted and shall be deemed always to have been so substituted, namely:—

"28. *Surplus from life insurance business how to be utilized*.—If as a result of any investigation undertaken, by the Corporation under section 26 any surplus emerges ninety-five per cent. of such surplus or such higher percentage thereof as the Central Government may approve shall be allocated to or reserved for the life insurance policy-holders of the Corporation and after meeting the liabilities of the Corporation, if any, which may arise under section 9, the remainder shall be paid to the Central Government or, if that

Government so directs, be utilized for such purposes and in such manner as that Government may determine."

4. *Insertion of new section* 28A.—After section 28 of the principal Act, the following section shall be inserted, namely:—

"28A. *Profits from any business (other than life insurance business, how to be utilized.*—If for any financial year profits accrue from any business (other than life insurance business) carried on by the Corporation, then after making provision for reserves and other matters for which provision is necessary or expedient, the balance of such profits shall be paid to the Central Government.".

R. C. S. SARKAR,
Secy. to the Govt. of India.

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